

Remarks

The applicant thanks the examiner for the telephone interview of April 16, 2009 at which time claim 1, as amended on November 20, 2008 was discussed with respect to the cited art. No agreement was reached regarding claim 1 other than that the applicant would submit an Amendment After Final.

The applicant has amended paragraph 0027 of the Specification to delete the reference to indicia number 84, which is identified as an aperture visible in Fig. 5. The aperture is not well depicted and is not referred to later in the Specification. The inclusion of the indicia number tends to confuse rather than clarify the elements of the invention. The applicant has also submitted Replacement Pages that add indicia numbers to Figs. 5 and 6, delete indicia number 84 from Fig. 5, and redirect the indicia line for indicia numbers 77 and 82 in Fig. 5. The corrected indicia lines render Fig. 5 consistent with Fig. 6. The omission of correct indicia numbers in the drawings may have, to some extent, confused the examiner and rendered it difficult for the examiner to connect the elements of the claim to the parts described in the Specification and depicted in the drawings.

In the forgoing amendment, the applicant has canceled claims 2, 3, and 7 and amended claim 12 to be dependent upon claim 1 rather than upon claim 2, and to cancel language inconsistent with that already in claim 1. The present amendments do not require a further search and therefore should be entered.

During the course of the telephone interview with the examiner, it became apparent that the examiner was unable to clearly identify certain elements of claim 1 and find where those elements were disclosed in the Specification. Specifically, the

examiner was unclear with respect to the bus having a rearward panel, a forward panel, a spacing between the forward and rearward panel form a cavity, and downwardly directed opening in communication with the cavity. The examiner was also unclear of the elements of the display unit and in particular, a forward panel, an upwardly directed rearward member joined to the bottom of the forward panel for removably attaching the pricing unit to the bus. The rearward and forward panels of the bus are best shown in Fig. 4. As is explained in paragraph 0024 on page eight of the Specification, the bus (indicia number 32) is attachable to a pricing tract 24 of a shelf by pair of clips 34, 36. As explained in paragraph 0025 of the Specification, the bus 32 includes a rearward panel 38 and a forward panel 40, with the parts connected together by an upper bar 42 leaving a cavity between the forward and rearward panels through which a plurality of electrically conductive strips 44 – 48 extend. As shown in Fig. 4, the cavity within the bus 32 is accessible through the open lower end.

The price display unit (indicia number 52) is depicted in Fig. 5 and described in paragraph 0027 as having a forward panel 53 that includes the display of pricing information and a rearward panel 70 oriented generally parallel to the forward panel 53 and retained to the forward panel by an elongate bar 68 that extends along the lower edge of the panel 53. As explained in paragraph 0028 and depicted in Figs. 5 and 6, the pricing unit 52 is U-shaped when seen in cross-section with the forward and rearward panels 53, 70 being parallel to one another and spaced a distance apart and configured to permit the rearward panel 70 to slide between the rearward and forward panels 38, 40 (through the downwardly directed opening between the

panels as depicted in Fig. 4) where the hook 72 at the upper end of the rearward panel 70 engages bar 50 to retain the pricing unit to the bus 32.

With the forgoing clarification of the elements of claim 1, the applicant traverses the rejection of claim 1 as being unpatentable over Massaro in view of Munn. The applicant acknowledges that the Massaro reference discloses a pricing bus having a cavity therein with contacts extending through the cavity, however Massaro fails to disclose that the pricing bus has a downwardly directed aperture in communication with the cavity through which a connector for a pricing unit can extend for engaging the contacts. The examiner has cited Munn as disclosing a display unit having a bus with a downwardly directed opening and a cavity, however, the applicant submits the Munn fails to make such a disclosure. As discussed with the examiner during the telephone interview, the applicant submits that the pricing element disclosed by Munn as depicted in Figs. 6, 7A, 7B, 7D and bearing indicia number 716 discloses a forward surface for displaying pricing information, but does not have a rearward member joined at the bottom of the forward panel with the rearward member removably receivable in the downwardly directed opening in a pricing bus. Furthermore, Munn fails to disclose the downwardly directed opening in the pricing bus for receiving such an upwardly directed rearward member of the price display member of the type described in the present Specification and depicted in Figs. 5 and 6. Accordingly, the applicant submits that claim 1 clearly defines over the combination of Massaro and Munn.

All remaining claims of the application are dependent upon claim 1 and define over the references for the same reason that claim 1 defines over those references.

Accordingly, the applicant submits that all the claims of the present application define over the art and are allowable.

With the forgoing Amendment, the applicant submits that the present application is now in condition for allowance and favorable reconsideration and allowance is requested.

Respectfully Submitted,

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